

Serial No.: 10/006,685

PATENT APPLICATION
Docket No.: NC 82,591

REMARKS

Claims 1-19 are pending in the application. Claims 1-16 and 19 are presently allowed.

Claim 17 is amended to recite that the composition has metal nanoparticles dispersed homogeneously throughout. Support for this amendment is found at page 1, lines 11-12.

Interview Summary

In telephone interviews of 10/07/2004, Applicants' representative agreed to an Examiner's amendment to claim 17 substantially as shown above in order to secure allowance of claims 17 and 18. In telephone interviews of 10/18/2004, the Examiner stated that the rejection would need to be entered and mailed instead of making the Examiner's amendment to allow time for a decision on the petition that was submitted with the application on 12/10/2001.

Claim Rejections – 35 U.S.C. § 102

Claims 17 and 18 have been rejected under 35 U.S.C. § 102(b) as anticipated by Ting et al. (US 5,389,400).

As amended, claim 17 (18 dependent thereon) is to a composition formed by heating to a temperature of at least about 300°C a mixture of an organometallic component and an aromatic-acetylene containing component. The resulting composition has metal nanoparticles dispersed homogeneously throughout.

Ting discloses a diamond/carbon/carbon composite having a preform of carbon fibers densified by deposition of carbon between the fibers and a deposited layer of diamond on the preform (Abstract). The carbon fibers are grown by chemical vapor deposition with iron nanoparticles as the catalyst (col. 5, line 2-col. 6, line 11).

As stated by the Examiner in the office action of 11/01/2004, Ting does not teach or fairly suggest a composition comprising nanoparticles homogeneously dispersed throughout. As this limitation is not disclosed in the reference, the claim is not anticipated.

In view of the foregoing, it is submitted that the application is now in condition for allowance.

In the event that a fee is required, please charge the fee to Deposit Account No. 50-0281,

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and in the event that there is a credit due, please credit Deposit Account No. 50-0281.

Respectfully submitted,



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